

Terry Stops and Searches of Persons and Motor Vehicles: Becoming and Training a More Effective and Confident Officer in Criminal Interdiction and Apprehension

The purpose of this course is twofold: First, it will provide participants with information allowing them to know when they can confidently and lawfully stop and search persons and vehicles. Second, it will dispel the five primary misconceptions that surround this topic. Based on the most recent legal precedents, this class will provide participants with answers to the following questions:

1. Can I STOP that vehicle or person, even if I didn't observe a violation?; and
2. Can I FRISK or SEARCH that vehicle or person WITHOUT CONSENT OR A WARRANT?; and
3. Can I ARREST or TICKET a person if I didn't witness a violation?
4. How do I properly articulate my actions in order to be more successful in court?

As you can read, this class will be based on what an officer CAN DO, not on what they can't do. Bottom line is, if you don't make the stop, you don't make the case. While this course is designed for FTO's and PTO's in mind (are you providing your trainees with the proper information?), it is open and available to any law enforcement officer in South Dakota who wants to attend and become a more confident, effective officer in the field. This is no ordinary legal class. Participants will be exposed to an interactive, high energy class that incorporates numerous adult learning methods. Instruction will be presented using small group work, table top scenarios, video case studies, dispatched radio calls, and static scenarios outside of the classroom. Participants will use their law books to develop and apply a decision-making matrix regarding warrantless arrests. Additionally, the five primary myths or misconceptions that many officers operate under will be introduced and then systematically dispelled. This course will cover:

- The Warrantless Arrest Authority of a Law Enforcement Officer Compared to The Warrantless Arrest Authority of a Citizen
- The Stopping and Detaining of a Motor Vehicle Based on Reasonable Suspicion (Terry v. Ohio)
- The Stopping and Detaining of a Person Based on Reasonable Suspicion (Terry v. Ohio)
- Terry Frisks
- The Difference between Reasonable Suspicion vs. Probable Cause and when to properly apply these two legal thresholds.
- Probable Cause as it Relates to Writing a Ticket or Making a Custodial Arrest
- Probable Cause as it Relates to Performing a Warrantless Search of a Person or Vehicle
- Warrantless Vehicle Searches, including Consent, Inventory, Belton/Gant, and the Carroll Doctrine
- Warrantless Search of Persons, including Search Incident to Custodial Arrest, a Chimel Search, and Probable Cause/Exigent Circumstances